

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

Estanislao Dominguez-Almaguer *PRINCIPAL*  
 A208 285 136 YOB: 1996  
 Mexico

United States District Court  
 Southern District of Texas  
 FILED

JUL 20 2015

## CRIMINAL COMPLAINT

Case Number:

M-15- 1210 -M

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 18, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
*(Track Statutory Language of Offense)*

knowing or in reckless disregard of the fact that Elvin Yovani Berduo-Velasquez, citizen of Mexico, along with six (6) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 18, 2015, Border Patrol Dispatch called out sensor activity in the Roma, Texas area. The Aerostat operator working that area panned over and observed approximately 8 people exiting the brush associated with the sensor.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Michael K. Garza Senior Patrol Agent  
 Printed Name of Complainant

at McAllen, Texas  
 City and State

Signature of Judicial Officer

Dorina Ramos, U. S. Magistrate Judge  
 Name and Title of Judicial Officer

Approved to file  
 Robert 2 Jr

Sworn to before me and subscribed in my presence,

20 mch  
 July 20, 2015  
 Date

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

M-15- 12/0 -M

**RE: Estanislao Dominguez-Almaguer A208 285 136**

**CONTINUATION:**

Agent Frediberto Hernandez responded, and Aerostat guided him to the area where the suspected illegal aliens were seen. From a concealed location, Agent Hernandez observed a subject, later identified as Estanislao DOMINGUEZ-Almaguer, separate himself from the group, and look up and down a nearby fence line, in an apparent attempt to scout for law enforcement. DOMINGUEZ was wearing a camouflauge cap and shirt.

Another agent, who had made his way into the area, again observed DOMINGUEZ separate himself from the group and walk in a different direction towards a road. Again, he appeared to be scouting for law enforcement while the rest of the group remained hidden under a tree approximately 100 yards south of him.

After DOMINGUEZ walked back to the group, agents converged on the group and apprehended 8 subjects hiding. All 8 subjects admitted to being in the United States illegally and were transported to the station for processing.

At the station, through both agent's observations and interviews with the smuggled aliens, it was determined that DOMINGUEZ was the foot guide for the group.

**PRINCIPAL'S STATEMENT:**

Estanislao DOMINGUEZ-Almaguer was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

DOMINGUEZ admitted to agents he was guiding a group of seven undocumented aliens across the Rio Grande River towards a paved road. Normally he is paid \$3,200 to \$3,500 MX Pesos (\$218 to \$239 US) per group. He has guided approximately 12 groups prior to this occasion, and has been working as a foot guide for approximately two months. Normally he guides the groups to a cemetery, calls a driver, and returns to Mexico. DOMINGUEZ further stated that he was working alone and this was the first time he has been apprehended by Border Patrol.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15- 1210 -M**

**RE: Estanislao Dominguez-Almaguer A208 285 136**

**CONTINUATION:**

**MATERIAL WITNESS STATEMENT:**

The material witness was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

Elvin Yovani Berduo-Velasquez, a citizen of Mexico, claimed to have been charged \$4,000 (USD) to be smuggled into the United States. Berduo told agents that a guide crossed him and six others. The guide instructed them to follow him and to not touch any fences because they had sensors. He also told them not to leave any foot sign behind. Berduo stated the guide made him use a branch to erase the foot sing they had left behind on two occasions. According to Berduo, the guide told them they were going to walk a few minutes and cross a road where someone was going to pick them up. The walk took a long time because the guide kept stopping. The guide told the group that the balloon in the sky had cameras. Berduo identified DOMINGUEZ in a photo lineup as the group's guide.